

WRJA

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of License 3143)	
Issued on Application 11276,)	Order: WR 74-35
HAROLD and ANNA BELLE BROWN,)	Source: Wadsworth Canal
Licensees.)	County: Sutter

ORDER ON RECONSIDERATION OF ORDER WR 74-6

BY THE BOARD:

This order is being made to conform the Board's records with the actual use of water. By so doing we do not countenance the failure of the licensees and their predecessors to advise the Board immediately of changes in ownership of lands covered by the license as required by Section 766, Article 18, Subchapter 2, Chapter 3, Title 23, California Administrative Code, and to timely petition the Board for permission to change the place of use covered by the license as required by Water Code Section 1701. The public has a right to rely on the Board's records and to a great extent the Board relies upon the holders of rights that it administers for information to keep the Board's records current. Any further failure to place the water to beneficial use in conformity with the license may result in revocation of such license in accordance with Water Code Section 1675.

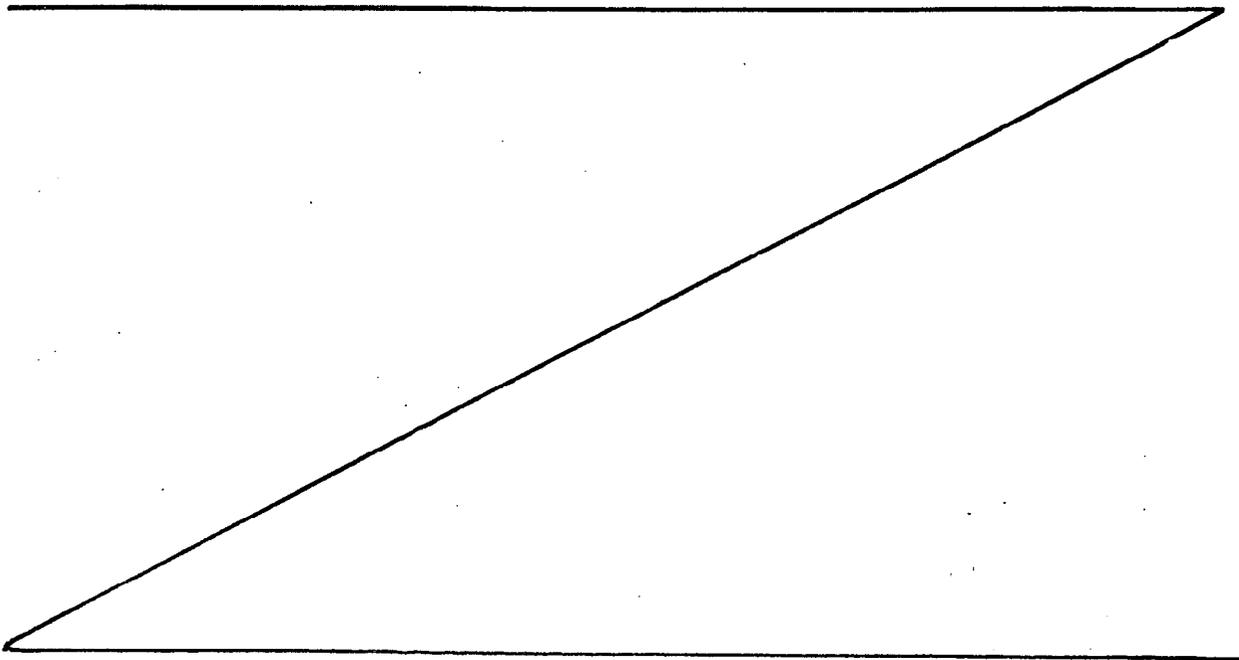
License 3143 was issued on March 14, 1951, confirming in A. H. Muns the rights acquired by beneficial use to three cubic feet per second (cfs) for irrigation of 160 acres in E $\frac{1}{2}$ of E $\frac{1}{2}$, Section 20 and 80 acres in N $\frac{1}{2}$ of NW $\frac{1}{4}$, Section 21, T15N, R2E, MDB&M. Said license was filed in the office of the Recorder of Sutter County on March 17, 1951. On November 27, 1972, the Board's records were changed to show Thomas John and Marnee L. Crowhurst as owners of the license based on information that they had succeeded to ownership of the place of use.

On February 21, 1974, the State Water Resources Control Board adopted Order WR 74-6 which limited diversion under License 3143 to one cfs; limited the place of use to the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 20, T15N, R2E, MDB&M; and changed the Board's records to show Harold and Anna Belle Brown (licensees) as owners of the license.

On March 16, 1974, the licensees petitioned the Board to reconsider Order WR 74-6 with respect to the reduction of the rate of diversion under the license from three cfs to one cfs. Good cause appearing, the Board granted the licensees' petition for reconsideration on April 18, 1974.

At the hearing on July 18, 1973, which preceded the adoption of Order WR 74-6, it was first brought to the Board's attention that the licensees were owners of 80 acres of land covered by License 3143. The Board had no information as to the quantities of water actually used by the licensees when

Order WR 74-6 was adopted. Since the filing of the licensees' petition for reconsideration, the Board's staff made an investigation of the licensees' project. Records of the Department of Water Resources covering diversions from the Wadsworth Canal show that the licensees highest duty of water was one cfs per 23.2 acres on the basis of an average continuous diversion during May 1968 (DWR Bulletin No. 130-70, Volume II, Northeastern California). Based on this duty, the rate of continuous average 30-day diversion on the licensees' 80 acres is 3.45 cfs. From an analysis of diversions from the Wadsworth Canal adjacent to the licensees during the years 1968-1970 it appears that the use of three cfs on 80 acres is within the application rates used for the type of crops and soil within the general area of the licensees' diversion.



NOW, THEREFORE, IT IS ORDERED that the portion of Order 74-6 which limited diversion under License 3143 to one cubic foot per second be set aside so that the authorized rate of diversion remains at three cubic feet per second. In all other respects said order remains unchanged.

Dated: November 21, 1974

W. W. ADAMS

W. W. Adams, Chairman

RONALD B. ROBIE

Ronald B. Robie, Vice Chairman

ROY E. DODSON

Roy E. Dodson, Member

MRS. CARL H. (JEAN) AUER

Mrs. Carl H. (Jean) Auer, Member

W. DON MAUGHAN

W. Don Maughan, Member